



September 24, 2004

Dr. Carl Osaki
Board Member, Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504-7990

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WA STATE BOARD OF HEALTH

Dear Dr. Osaki:

On behalf of the citizens of Washington State, I am asking the State Board of Health to take immediate action to regulate the quality of water in Washington State schools and day cares. Immediate temporary measures are necessary to protect children from *lead-contaminated drinking water*, as well as other drinking water contaminants, such as cadmium.

After immediate measures to safeguard children from contaminated water are in place, the State Board of Health needs to systematically develop an external monitoring and oversight system for schools and day cares, involving the State Department of Health's Office of Drinking Water.

(1) I am calling upon the State Board of Health to immediately confer the same water quality standards that are currently given to schools that have their own well (WAC 246-366-060). Schools with their own water source are regulated under the 1974 Safe Drinking Water Act, and its subsequent Amendments, including the 1996 Lead and Copper Rule (WAC 246-290-020).

All water quality standards that currently apply to schools with their own well should be applied immediately to schools and day cares that obtain their water from a public utility. However, the water quality standards must apply to the quality of water at the point of use, not merely the point of entry into the school or day care.

(2) The State Board of Health has the statutory authority to regulate environmental health within state schools and day cares, whether they are public or private. This statutory authority is stated in the Washington Administrative Code.

(3) The 1988 Lead Contamination Control Act, an amendment to the 1974 Safe Drinking Water Act, was never adopted in our state. Consequently, schools were never systematically tested for lead contamination in their drinking water. Tragically, hundreds of thousands of children and educational staff across our state have been needlessly exposed to excessive lead in school drinking water for the last 16 years. Recent test results in the Seattle School District show how extensive this lead contamination can be.

(4) Throughout our state, children are attending schools and day cares in buildings with old, lead-contaminated plumbing. During the upcoming legislative session, the Washington State legislature will consider helping schools across the state with funding to replace corroded and lead-contaminated plumbing.

It is essential now that the State Board of Health must become the leader in protecting children from contaminated school drinking water. Until now, it appears that parental concern and outrage in many communities has been the primary reason for individual school districts performing tests for lead-contaminated drinking water.

We have even seen that in our state's largest school district, the Seattle Public Schools, facilities and planners failed to notify parents and teachers about extensive lead-contaminated drinking water for over a decade. From this inexcusable event, it is now clear that passive safety guidance from our State's Office of Drinking Water is inadequate to ensure that school children are not exposed to contaminated drinking water in our public schools.

Other states, such as California, have moved forward aggressively, to reduce lead contamination and other water borne contaminants in school drinking water. The same regulatory safeguards urgently need to be established in Washington State.

I note that the Commonwealth of Massachusetts Office of Environmental Protection has recently issued an urgent warning to all school districts to have their water tested for lead contamination.

<http://www.qualitychildcare.org/pdf/DORLeadingDrinkingWater20040330.pdf>

Governor Locke has recently called upon school districts across Washington State to have all elementary schools tested for lead contaminated drinking water, and has allocated \$750,000 to assist in these efforts. Moreover, Governor Locke has instructed the State Board of Health to actively review school drinking water as part as its review of environmental health regulations for schools.

It is now time for the State Board of Health to take an active leadership role in setting standards for school and day care drinking water, and to formulate an active oversight/enforcement role for the State Department of Health's Office of Drinking Water.

I urge the Board of Health to consider issuing a urgent warning to all schools and day cares in the state, public and private, to have their water immediately tested for lead contamination. I also urge the Board to immediately confer water quality standards on all schools and day cares, similar to the Safe Drinking Water Act water quality standards that apply to schools that obtain drinking water from their own well.

Sincerely,



Mary Lou Dickerson
State Representative, 36th District

Cc: Senator Margarita Prentice, 11th District
Senator Erik Poulsen, 34th District
Senator Jeanne Kohl-Welles, 36th District
Senator Adam Kline, 37th District
Senator Pat Thibaudeau, 43rd District
Senator Ken Jacobsen, 46th District
Representative Zack Hudgins, 11th District
Representative Velma Voloria, 11th District
Representative Eileen Cody, 34th District
Representative Joe McDermott, 34th District
Representative Helen Sommers, 36th District
Representative Eric Pettigrew, 37th District
Representative Sharon Tomiko Santos, 37th District
Speaker Frank Chopp, 43rd District
Representative Ed Murray, 43rd District
Representative Jim McIntire, 46th District
Representative Phyllis Kenney, 46th District
Representative Hans Dunshee, 44th District
